

CPA/83724

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# **CONTINUED PROSECUTION APPLICATION (CPA) REQUEST TRANSMITTAL**

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(Only for Continuation or Divisional applications under 37 CFR1.53(d))

Address to:  <b>Assistant Commissioner for Patents Box CPA Washington, DC 20231</b>	Attorney Docket No. of Prior Application	600.1040
	First Named Inventor	HEARN
	Examiner Name	Clark F. Dexter
	Group / Art Unit	3724
	Express Mail Label No.	EL 914 493 353 US

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This is a request for a ☒ continuation or ☐ divisional application under 37 CFR1.53(d),  
(continued prosecution application (CPA)) of prior application number 09/533,685  
filed on March 23, 2000, entitled DOUBLE-CUT FORLDER WITH COMBINATION CUT AND NIP CYLINDER.

## **NOTES**

**FILING QUALIFICATIONS:** The prior application identified above must be a nonprovisional application that is either: (1) complete as defined by 37 CFR 1.51(b), or (2) the national stage of an international application in compliance with 35 U.S.C. 371. Effective May 29, 2000, a CPA may only be filed in a utility or a plant application if the prior nonprovisional application was filed before May 29, 2000. A CPA may be filed in a design application regardless of the filing date of the prior application. See "Request for Continued Examination Practice changes to and Provisional Application Practice," Final Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office (Apr. 11, 2000).

**C-I-P NOT PERMITTED:** A continuation-in-part application cannot be filed as a CPA under 37 CFR 1.53(d), but must be filed under 37 CFR 1.53(b).

**EXPRESS ABANDONMENT OF PRIOR APPLICATION:** The filing of this CPA is a request to expressly abandon the prior application as of the filing date of the request for a CPA. 37 CFR 1.53(b) must be used to file a continuation, divisional, or continuation-in-part of an application that is not to be abandoned.

**ACCESS TO PRIOR APPLICATION:** The filing of this CPA will be construed to include a waiver of confidentiality by the applicant under 35 U.S.C. 122 to the extent that any member of the public who is entitled under the provisions of 37 CFR 1.14 to access to, copies of, or information concerning, the prior application may be given similar access to, copies of, or similar information concerning, the other application or applications in the file jacket.

**35 U.S.C. 120 STATEMENT:** In a CPA, no reference to the prior application is needed in the first sentence of the specification and none should be submitted. If a sentence referencing the prior application is submitted, it will not be entered. A request for a CPA is the specific reference required by 35 U.S.C. 120 and to every application assigned the application number identified in such request, 37 CFR 1.78(a).

**WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

- ☐ Enter the unentered amendment previously filed on \_\_\_\_\_ under 37 CFR 1.116 in the prior nonprovisional application
- ☒ A preliminary amendment is enclosed.
- ☐ This application is filed by fewer than all the inventors named in the prior application, 37 CFR 1.53 (d)(4).
  - ☐ **DELETE** the following inventor(s) named in the prior nonprovisional application:  
\_\_\_\_\_  
\_\_\_\_\_
  - ☐ The inventor(s) to be deleted are set forth on a separate sheet attached hereto.
- ☐ A new power of attorney or authorization of agent (PTO/SB/81) is enclosed.
- ☐ Information Disclosure Statement (IDS) is enclosed:
  - ☐ PTO-1449
  - ☐ Copies of IDS Citations

03/05/2003 AWONDAF1 00000056 09533685 750.00 DP 01 FC:1006

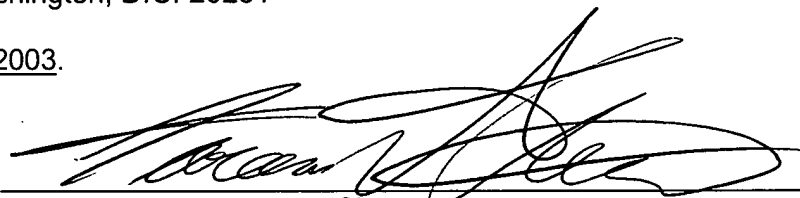


## Certificate of Mailing By Express Mailing under 37 CFR 1.10

I hereby certify that this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 in an envelope addressed to:

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Kareem Stevens

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Re.: Docket No.: 600.1040  
Applicant(s): HEARN  
Serial No.: 09/533.685  
Invention: DOUBLE-CUT FOLDER WITH COMBINATION CUT AND NIP CYLINDER  
Filing Date: 3/23/00

- CPA Request Transmittal (2 pages);
- Response to Final Office Action (8 pages);
- Check in the amount of \$750.00

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CLAIMS	(1) FOR	(2) NUMBER FILED	(3) NUMBER EXTRA	(4) RATE	(5) CALCULATIONS
TOTAL CLAIMS (37 CFR 1.16(c) or (j))		18-20* =	0	x \$ ____ =	\$ 0
INDEPENDENT CLAIMS 37 CFR 1.16(b) or (i)		1-3** =	0	x \$ ____ =	0
MULTIPLE DEPENDENT CLAIMS (if applicable) (37 CFR 1.16(d))				x \$ ____ =	
				BASIC FEE (37 CFR 1.16)	\$750
				Total of above Calculations =	
				Reduction by 50% for filing by small entity (Note 37 CFR 1.27).	
				* Reissue claims in excess of 20 and over original patent.	
				** Reissue independent claims over original patent.	
				TOTAL =	

6. ☐ Small entity status: Applicant claims small entity status. See 37 CFR 1.27.
7. The Commissioner is hereby authorized to credit overpayments or charge the following fees to Deposit Account No. 50- - 0552 :
- a. ☒ Fees required under 37 CFR 1.16.
- b. ☒ Fees required under 37 CFR 1.17.
- c. ☒ Fees required under 37 CFR 1.18.
8. ☒ A check in the amount of \$ 750 is enclosed.
9. ☐ Payment by credit card. Form PTO-2038 is attached.
10. ☐ Applicant requests suspension of action under 37 CFR 1.103(b) (fee under 37 CFR 1.17(l) enclosed).
11. ☐ New Attorney Docket Number, if desired  
[Prior application Attorney Docket Number will carryover to this CPA unless a new Attorney Docket Number has been provided herein.]
12. a. ☐ Receipt For Facsimile Transmitted CPA (PTO/SB/29A)
- b. ☐ Return Receipt Postcard (Should be specifically itemized, See MPEP 503)
13. ☐ Other: \_\_\_\_\_

**NOTE:** The prior application's correspondence address will carry over to this CPA  
**UNLESS** a new correspondence address is provided below.

**12. NEW CORRESPONDENCE ADDRESS**☒ Customer Number or Bar Code Label

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PATENT TRADEMARK OFFICE

or ☒ New correspondence address below

Name	Davidson, Davidson & Kappel, LLC				
	William C. Gehris				
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	14 <sup>th</sup> Floor				
City	New York	State	NY	Zip Code	10018
Country	USA	Telephone	(212) 736-1940	Fax	(212) 736-2427

**13. SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED**

Name (Print /Type)	William C. Gehris
Signature	
Registration No. (Attorney/Agent)	38,156
Date	3/3/03



#17/13/8/03  
600-1040  
Hart

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re: Application of: HEARN  
Serial No.: 09/533,685  
Filed: 3/23/00  
For: **DOUBLE-CUT FOLDER WITH COMBINATION CUT AND NIP CYLINDER**  
Examiner: Clark F. Dexter  
Art Unit: 3724

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RESPONSE TO FINAL OFFICE ACTION

Assistant Commissioner for Patents  
Washington, D.C. 20231

March 3, 2003

Sir:

In response to the office action dated December 3, 2002 received in the above-identified application, Applicant hereby respectfully requests reconsideration of the application, as amended, and based on the following remarks.

IN THE CLAIMS

Cancel claims 4, 18 and 19 without prejudice.

Please amend claims 1, 3, 5, 6 and 9 as follows:

1. (Thrice amended) A folder for a web printing press comprising:  
a first cutting and nipping device for partially cutting a web so as to form first cuts in the web, the first cutting and nipping device having a first cutting cylinder with axially-extending first cutting surfaces for forming first cuts in the web and a first anvil cylinder for interacting